Adjournment motion regarding: 1. the policy of the Government as evidenced in the recent transfers and appointments—(contd.)

President.—This motion has reference to certain appointments which took effect from the 16th Makaram last (nearly a month ago) consequent on the resignation of Mr. Kasturi Ranga Ayyar, Diwan Peishkar, preliminary to retirement. The object of the motion is "to consider the policy of the Government as evidenced by the orders of the Government regarding the said appointments, the same being in contravention of the definite recommendations of the Special Finance Committee which were subsequently approved by this Council." The question for my consideration is whether the matter proposed to be discussed is in order.

It cannot be disputed that the appointments in question fell within the prerogative of His Highness the Maharaja and were made with the sanction of His Highness. The question as to the right of the Legislative Council to discuss the appointments made by His Highness arose for my decision in the case of Rao Bahadur Mr. John Kuriyan who was appointed as acting Chief Engineer last year, and an adjournment motion was sought to be made in the last Council, and I ruled that the motion was not in order. I asked the Member who desired permission to move the present motion whether he wanted to raise a discussion by this motion on the correctness or propriety of the appointments under consideration, and he stated that his object was different, *i. e.*, he wanted to raise a discussion only on the policy of the Government in making the appointments which were in direct contravention of the recommendations of the Special Finance Committee and of the resolutions of this Council. I am unable to comprehend that such a discussion has an effect different from that of questioning the propriety of the several appointments under reference. What will chiefly be attempted to be shown is that the appointments were not right as they are opposed to the recommendations of the Special Finance Committee and the resolutions of the Council. The position of the Member seems to be one of distinction without substantial difference.

I may observe that the Parliamentary Practice in England throughout has been not to allow the appointments made by His Majesty the King discussed or questioned in the Houses of Parliament. I have not come across a single case of the appointments made by His Majesty the King-Emperor discussed in the Legislative Councils of India. No case of such a discussion was, so far as I have known, allowed in any of the Legislative Councils in the Indian States.

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Clause 5 of Rule 19 of the Legislative Council Rules lays down that the motion must not deal with a matter on which a resolution could not be moved. A resolution which has the effect of calling in question the appointments made by His Highness is inadmissible, and there was no case of such a resolution being permitted to be discussed since the Legislative Council in Cochin has been instituted. I must hold that this condition has not been satisfied in the present case. I am also of opinion that there is no urgency in regard to the subject-matter of the motion.

For all the foregoing reasons, I hold this motion not in order, and I am, therefore, unable to give my consent to the motion being made.

(*The motion was ruled out of order*).

2. Ernakulam water supply.

President.—I have since received an adjournment motion with regard to a matter of urgent public importance. Mr. Kannan Nayar seeks permission to make the motion. The motion proposed to be discussed reads thus:—

"*The extreme hardship to which the people of the Ernakulam Town is subjected owing to the introduction of the intermittent system of supplying drinking water recently, the time of introduction of the system being the beginning of the hottest months of the year and the time of non-supply being the hottest part of the day.*"

It appears this motion relates to a matter of urgent public importance. So I would give my consent. But I would like to know whether the mover has the leave of the Council. I see no objection. Then the motion may be made. Will you be ready for discussion at 3-30 p. m. to-day?

Mr. V. K. Aravindaksha Menon.—I have not got the papers. I must get the figures from Trichur. If it is only a discussion on general points, I have no objection.

President.—The motion is allowed. The motion will be taken up for discussion at 3-30 p. m. to-day.

The Cochin Municipal Regulation Amendment Bill.

Mr. C. A. Kunjunni Raja.—I move that the Bill to amend the Cochin Municipal Regulation be taken up and passed.

Mr. A. Eachara Menon.—I second it.

(*Question put and agreed to.*)

The Cochin Kuri Bill.

Mr. C. A. Kunjunni Raja.—I rise to a point of order whether the Secretary is right in placing on the agenda, the Bill for which notice was not given by the Member in charge of the Bill under Rule 30.

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